

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
MILWAUKEE DIVISION

ANDREW L. COLBORN,

Plaintiff,

Case 1:19-cv-00484-BHL

vs.

NETFLIX, INC., et al.,

Defendants.

**DECLARATION OF NON-PARTY BRENDA SCHULER IN RESPONSE TO
MOTIONS TO RESTRICT FILED BY DEFENDANTS IN CONNECTION WITH
THEIR MOTIONS FOR SUMMARY JUDGMENT**

I, Brenda Schuler, hereby certify pursuant to 28 U.S.C. § 1746 that the statements set forth below are true and correct to the best of my knowledge, information, and belief. I have personal knowledge of the matters set forth herein and, if called upon to testify to the facts in this declaration, I could and would testify competently thereto.

1. I am not a party in the above-referenced case.
2. I submit this declaration in response to the Motions to Restrict of Defendants Netflix, Inc. (Dkt. 267) and Laura Ricciardi, Moira Demos, and Chrome Media LLC (the “Producer Defendants”) (Dkt. 281) in support of Defendants’ Motions for Summary Judgment.
3. I have appeared for a full day of deposition and produced documents (over 1,500 pages of documents) pursuant to a subpoena issued by Netflix
4. Defendants have submitted the following records for which I respectfully request remain restricted from public access (the “Schuler Documents”):

- Exhibit 26 filed as conditionally restricted by the Producer Defendants (transcript of interview with Plaintiff Andrew Colborn in connection with the yet unreleased film project currently titled *Convicting a Murderer*)
- Exhibit 27 filed as conditionally restricted by the Producer Defendants (transcript of interview with Plaintiff Andrew Colborn in connection with the yet unreleased film project currently titled *Convicting a Murderer*)
- Exhibit 41 filed as conditionally restricted by Netflix (excerpts of Ms. Schuler's deposition transcript)

5. I am a producer of the unreleased film project currently titled *Convicting a Murderer*. The *Convicting a Murderer* project is intended to serve as a follow up to the *Making a Murderer* series at issue in this case.

6. Relevant to the instant Motions to Restrict, I produced transcripts of two interviews with Plaintiff Andrew Colborn conducted in connection with *Convicting a Murderer* and testified about the project in my deposition, for which Defendants are using in support of their Motions for Summary Judgment (the "Schuler Documents").

7. While a trailer/teaser for *Convicting a Murderer* has been publicly released, the project has not been completed and released to the public in its entirety. Further, while a few seconds of an interview with Colborn appears in the trailer/teaser, the entirety of the interviews with Colborn were not part of the publicly released trailer/teaser and have not otherwise been made public.

8. The production company for *Convicting a Murderer*, Transition Studios, has expended significant resources in producing the project.

9. The interviews and my testimony about the *Convicting a Murderer* project derive potential economic value in remaining confidential and proprietary. That value will be lost if other parties also interested in preparing potentially competing works related to the same subject matter are able to obtain them.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on October 25, 2022.

DocuSigned by:
Brenda Schuler
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Brenda Schuler